

**REMARKS/ARGUMENTS**

Claims 1-4 and 6-21 now stand in the present application, claims 1, 3, 4, 7, 15 and 16 having been amended and new claims 18-21 having been added.

Reconsideration and favorable action is respectfully requested in view of the above amendments and the following remarks.

In the Office Action, the Examiner has rejected claims 1-4, 6-10, 14, 15 and 17 under 35 U.S.C. § 102(b) as being anticipated by Reber et al., and has rejected claims 11-13 and 16 under 35 U.S.C. § 103(a) as being unpatentable over Reber et al. in view of Sweat et al. Applicants respectfully traverse the Examiner's §§ 102 and 103 rejections of the claims.

In the Office Action at pages 3-4, the Examiner has stated that he has given no patentable weight to the term "automatically" as that term is used in the preamble of the claims. Accordingly, Applicants have amended the claims in order to correct this deficiency by moving the term "automatically" into the body of the claims.

More particularly, Applicants have amended the claims to bring the word "automatically" out of the preamble of the claim into features within the claims. For example, claim 1 now includes the features:

"automatically reading digital metadata associated with a first set of stored media data, which digital metadata includes;

relationship data which indicates the relationship between what is represented by the first set of stored media data and what is represented by the second set of stored media data; and

automatically synthesizing said media article, said automatic synthesis including arranging said first and second sets of

stored media data or identifiers thereof in accordance with said relationship data.”

These features are not taught or suggested by Reber. In Reber, an editor chooses the order in which content is to be included in the final sequence. Reber's apparatus provides a mechanism for finding a suitable physical source for that content. In Applicants' claimed invention, the order in which content is to be included in the final sequence is determined automatically on the basis of metadata stored with the media files. Similar features have been added to independent claim 7. It therefore follows that all claims are novel over Reber. Moreover, neither Reber nor Sweat teaches or suggests the above described features added to independent claims 1 and 7. Hence, a combination of Reber and Sweat cannot render any of the claims obvious.

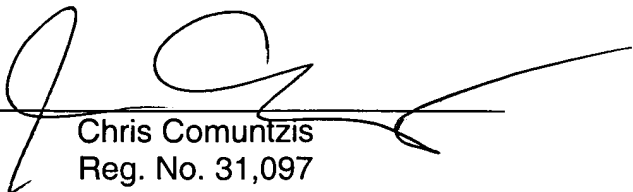
Therefore, in view of the above amendments and remarks, it is respectfully requested that the application be reconsidered and that all of claims 1-4 and 6-21, now standing in the application, be allowed and that the case be passed to issue. If there are any other issues remaining which the Examiner believes could be resolved through either a supplemental response or an Examiner's amendment, the Examiner is respectfully requested to contact the undersigned at the local telephone exchange indicated below.

STEVENS et al  
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Respectfully submitted,

**NIXON & VANDERHYE P.C.**

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